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Attorneys for all Plaintiffs, individually and on  
behalf of all those similarly situated

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

AARON SENNE, et al., Individually and on  
Behalf of All Those Similarly Situated,

Plaintiffs,

vs.

OFFICE OF THE COMMISSIONER OF  
BASEBALL, an unincorporated association  
doing business as MAJOR LEAGUE  
BASEBALL; et al.;

Defendants.

CASE NO. 3:14-cv-00608-RS-EDL

**CLASS ACTION**

**DECLARATION OF GARRETT R.  
BROSHUIS IN SUPPORT OF  
PLAINTIFFS' MOTION TO COMPEL**

Requested hearing date: Sept. 23, 2014, 9:00 a.m.  
Regular hearing date: Oct. 14, 2014, 2:00 p.m.  
Courtroom: E, 15th Floor  
Judge: Honorable Elizabeth D. Laporte

1 Garrett R. Broshuis declares:

2 1. I am one of the attorneys principally responsible for the handling of this matter. I am  
3 personally familiar with the facts set forth in this declaration. If called as a witness I could and would  
4 competently testify to the matters stated herein.

5 2. On May 23, 2014, certain Defendants filed a motion to dismiss based on lack of  
6 personal jurisdiction. (Dkt. 115). On the same day, Defendants filed a motion to transfer venue  
7 pursuant to 28 U.S.C. § 1404(a). (Dkt. 118). The Baltimore Orioles joined these motions a short time  
8 later. (Dkt. 129).

9 3. Plaintiffs met and conferred with Defendants regarding their intent to pursue  
10 jurisdictional and venue discovery, and Plaintiffs requested that the Court compel such discovery on  
11 June 25, 2014. (Dkt. 143). The Court granted Plaintiffs' request on June 27, 2014, (Dkt. 144), and  
12 Plaintiffs formally served interrogatories and document requests on July 9, 2014. Defendants provided  
13 objections and responses on August 8, which failed to sufficiently respond to Plaintiffs' requests.

14 4. Jurisdictional and venue discovery is currently scheduled to close on September 26,  
15 2014, and a briefing schedule has been set. (Dkt. 183). Under the briefing schedule, Plaintiffs must file  
16 their oppositions to Defendants' motions by October 10, 2014. Since all parties and the Court will  
17 benefit from expedited proceedings, the parties are filing a stipulated request for an expedited hearing  
18 concurrent with the filing of Plaintiffs' motion to compel.

19 5. Before filing the Motion to Compel Discovery, Plaintiffs met and conferred with  
20 counsel for Defendants numerous times. On May 27, 2014, Plaintiffs indicated their intention to take  
21 jurisdictional and venue discovery via email. On May 28, 2014, we met and conferred via a telephone  
22 conversation. We indicated that our jurisdictional and venue discovery would focus on Defendants'  
23 connections to California, such as employees in California, business travel to California, and business  
24 connections to California. On June 12, 2014, Plaintiffs informally forwarded the jurisdictional and  
25 venue discovery sought to Defendants' counsel for their review.

26 6. After Plaintiffs formally served Defendants with the discovery on July 9, 2014, the  
27 parties again met and conferred—in-person, with lead trial counsel present—on July 11. After  
28 Defendants responded and objected on August 8, the parties again met and conferred via telephone

1 and email several times. The parties narrowed some disputes, and Plaintiffs are not currently seeking  
2 to compel responses on many requests for which Defendants failed to respond (as detailed in the  
3 memorandum in support of the motion). The parties engaged in a final meet and confer on  
4 September 2, 2014, but disputes remain.

5 7. The attached exhibits constitute samples of the discovery served on Defendants.  
6 Exhibits A and B to this declaration are the Sample PJ Interrogatories and Requests for Production of  
7 Documents (those interrogatories and requests for production sent to those Defendants moving to  
8 dismiss for lack of personal jurisdiction). Exhibits C and D to this declaration are Sample MLB  
9 Interrogatories and Requests for Production of Documents (interrogatories and requests for  
10 production sent to MLB). Exhibits E and F to this declaration are Sample Responses to PJ  
11 Interrogatories and Requests for Production of Documents (an example of the responses from one of  
12 the Defendants moving to dismiss for lack of personal jurisdiction).

13 I declare under penalty of perjury under the laws of the United States of America that the  
14 foregoing is true and correct.

15 Executed on September 3, 2014, at St. Louis, Missouri.

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Garrett R. Broshuis